

No. 20342

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**FEDERAL REPUBLIC OF GERMANY**  
**and**  
**CYPRUS**

**Agreement on the international transport of passengers  
and goods by road (with protocol). Signed at Nicosia  
on 6 March 1980**

*Authentic texts: German and English.*

*Registered by the Federal Republic of Germany on 7 August 1981.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**  
**et**  
**CHYPRE**

**Accord relatif au transport international par route de  
personnes et de marchandises (avec protocole). Signé  
à Nicosie le 6 mars 1980**

*Textes authentiques : allemand et anglais.*

*Enregistré par la République fédérale d'Allemagne le 7 août 1981.*

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE REPUBLIC OF CYPRUS AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON THE INTERNATIONAL TRANSPORT OF PASSENGERS AND GOODS BY ROAD

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The Government of the Republic of Cyprus and the Government of the Federal Republic of Germany, hereinafter called "the Contracting Parties",

Desirous of regulating the international transport of passengers and goods by road between and in transit through their two countries,

Have agreed as follows:

*Article 1.* (1) Within the existing laws and regulations of the two countries this Agreement shall regulate the transport of passengers and goods by road between the Republic of Cyprus and the Federal Republic of Germany, in transit through the two countries, and to or from third countries.

(2) The provisions of the present Agreement shall not affect the rights and obligations of the Contracting Parties emanating from already concluded bilateral or multilateral international agreements.

#### PASSENGER TRANSPORT

*Article 2.* For the purpose of the present Agreement the term "transport of passengers by road" shall mean the commercial carriage or the carriage for remuneration of passengers by motor coaches.

The term "motor coach" shall mean any motor vehicle which, by its design and equipment, is suitable and intended to carry more than nine persons (including the driver).

*Article 3.* (1) Carriers engaged in occasional transport, who are authorized as such in their own country and whose place of business is situated in one of the two countries, shall not require any other permit for journeys with motor coaches into or through the territory of the other country, if the journeys are

- a) Journeys performed with one and the same motor coach which carries the same tourist party over the whole distance of the journey and takes them back to their place of departure (closed-door circular tour), or
- b) Transport services where passengers are taken on for the outward journey and where the return trip is made unladen (return trip unladen).

In the case of occasional transport pursuant to letter a) or b) passengers may neither be taken on nor discharged en route, unless the competent authorities of the country concerned have permitted an exception.

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<sup>1</sup> Came into force on 6 April 1980, i.e., one month after the date of signature, in accordance with article 19.

(2) Occasional transport with motor coaches not complying with the provisions of paragraph 1 above shall in each individual case require the approval of the competent authority of the other country.

(3) Carriers engaged in occasional transport within the meaning of paragraph 1 above shall be obliged to produce on demand the control document mentioned in the Protocol pursuant to Article 17 to the competent authorities of the Contracting Parties.

*Article 4.* (1) In international regular line traffic and in regular line traffic in transit the carriers shall require the approval of the competent authorities of the other Contracting Party. The approval shall be granted in accordance with each country's national laws and regulations.

(2) The approval shall not be granted before there is agreement on the necessity and expediency of such services having regard to the principle of reciprocity.

(3) Time-tables, rates and fares, and conditions of transport and their modifications as well as the suspension of operations shall be subject to the prior approval of the competent authorities of the two countries.

#### GOODS TRANSPORT

*Article 5.* For the purpose of this Agreement the term "motor vehicle" shall mean any mechanically propelled road vehicle which is registered in either country and constructed or adapted for carrying goods and/or towing any other vehicle constructed or adapted for the carriage of goods, including any carried trailer or semi-trailer constructed for the carriage of goods.

*Article 6.* (1) Motor vehicles registered in one of the two countries shall require for the transport of goods by road in the territory of the other country a permit issued by this country.

(2) No permit is required for trailers or semi-trailers, if they are registered in one of the two countries. This also applies to trailers or semi-trailers not registered in the Republic of Cyprus or the Federal Republic of Germany, if these are used together with a motor vehicle which is registered in one of the two countries.

(3) The members of the Joint Committee formed pursuant to Article 16 shall, on the basis of reciprocity, agree upon a quota of permits, and each Contracting Party shall have the same number of such permits at its disposal.

*Article 7.* The permit shall entitle the holder to engage in the carriage of goods by road

- a) Between the country in which the motor vehicle is registered and the other country (bilateral transport);
- b) Through the other country (transit);
- c) Between the other country and a third country (transport to and from third countries) according to the procedure fixed by the Joint Committee formed pursuant to Article 16.

*Article 8.* No permit shall be required for the transportation of the items listed in the Protocol pursuant to Article 17.

*Article 9.* Without counting against the quota pursuant to paragraph 3, Article 6, permits may be issued for the carriage of personal and household effects (removals), if these are carried in vehicles which are specially equipped for or exclusively serve these transport operations.

*Article 10.* (1) Permits shall be issued only to carriers who, according to the laws and regulations of the country in which the vehicle is registered, are entitled to engage in the international carriage of goods by road by motor vehicles.

(2) The permit shall be issued to the carrier for a specific motor vehicle belonging to him.

(3) The carrier shall not transfer the permit to another motor vehicle or to another carrier.

*Article 11.* Permits shall be issued as journey permits valid for one journey (outward and return).

*Article 12.* It is not permitted to transport goods with vehicles registered in one country between two points located in the territory of the other country (inland transport).

#### JOINT PROVISIONS

*Article 13.* The documents required pursuant to the provisions of the present Agreement (e.g. permit) shall be carried on all journeys in the other country and shall be produced, on demand, to the competent authorities of the Contracting Parties.

*Article 14.* Carriers and drivers of vehicles of one country shall, when in the territory of the other country, comply with the laws and regulations in force in that country.

*Article 15.* (1) In the event of any infringement of the laws and regulations in force in the other country or of the provisions of the present Agreement by a carrier or his personnel, the competent authorities of the country in which the motor vehicle is registered shall, at the request of the competent authority of the country in which the infringement occurred, take one of the following measures:

- a) Issue a warning to that carrier;
- b) Issue such a warning together with a notification that any subsequent infringement will lead to the temporary or permanent exclusion of vehicles owned or operated by that carrier from the territory of the Party in which the infringement occurred; or
- c) Issue a notification of such exclusion.

(2) The competent authorities shall inform each other of the action taken.

(3) The provisions of this Article shall be without prejudice to any lawful sanctions which may be applied by the courts or enforcement authorities of the country in whose territory the infringement occurred.

*Article 16.* Representatives of the competent authorities of both countries shall form a Joint Committee in order to ensure the orderly implementation of the present Agreement and its adaptation to the development in traffic. The Joint Committee shall meet at the request of either competent authority.

*Article 17.* (1) The Contracting Parties shall lay down detailed rules for the application of the present Agreement in a Protocol which shall form an integral part of, enter into force at the same time as, and be signed together with the Agreement.

(2) The Joint Committee formed pursuant to Article 16 shall be entitled to amend this Protocol so as to conform to the current development of transport of passengers and goods by road.

*Article 18.* This Agreement shall also apply to the Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the Republic of Cyprus within three months of the date of entry into force of this Agreement.

*Article 19.* This Agreement shall enter into force one month after the date of signature.

It shall continue in force unless terminated by either Contracting Party giving six months notice thereof in writing to the other Contracting Party.

DONE at Nicosia 6 March 1980 in duplicate in the English and German languages, both texts being equally authentic.

For the Government  
of the Republic of Cyprus:  
[Signed—*Signé*]<sup>1</sup>

For the Government  
of the Federal Republic of Germany:  
[Signed—*Signé*]<sup>2</sup>

<sup>1</sup> Signed by P. M. Kazamias—*Signé par P. M. Kazamias.*

<sup>2</sup> Signed by G. Söhnle—*Signé par G. Söhnle.*

PROTOCOL DRAWN UP UNDER ARTICLE 17 OF THE AGREEMENT  
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF CYPRUS  
AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF  
GERMANY ON THE INTERNATIONAL TRANSPORT OF PAS-  
SENGERS AND GOODS BY ROAD

I. PASSENGER TRANSPORT

1. The control document pursuant to paragraph 3, Article 3, shall be laid down by the Joint Committee.

2. For occasional transport requiring approval pursuant to paragraph 2, Article 3, the permits shall be granted

- To Cypriot carriers by the Federal Minister of Transport of the Federal Republic of Germany;
- To German carriers by the Minister of Communications and Works of the Republic of Cyprus or any person authorised by him.

Applications shall be made

- By Cypriot carriers through the competent authorities of the Republic of Cyprus to the Federal Minister of Transport of the Federal Republic of Germany;
- By German carriers to the Director, Department of Inland Transport, Ministry of Communications and Works, Nicosia, Cyprus.

Applications for occasional transport services requiring approval shall contain the following particulars:

- Firm and address of the carrier,
- Firm and address of the travel agent who has given the order,
- Country of origin of the passengers,
- Registration numbers and seating capacity of the motor coaches to be used,
- Point of departure and point of destination of the journey,
- Distance of the journey,
- Points of entry at the frontier,
- Dates of the journey,
- Number of drivers.

Models of application forms and permits shall be agreed upon by the Joint Committee formed pursuant to Article 16, if necessary.

At the end of each year the competent authorities of the Contracting Parties inform each other of the number of issued permits.

3. Applications for the establishment of regular line traffic pursuant to Article 4 shall contain the following particulars:

- Firm and address of the carrier,

- Registration number and seating capacity of the motor coaches to be used,
- The proposed time-table, the rates and fares, and the conditions of transport,
- Period for which the permit is applied for,
- Period of operation,
- Points of entry at the frontier.

4. If the Council of the European Communities and one of the Contracting Parties to the present Agreement conclude an arrangement on a matter which is regulated in Articles 3 and 4 of the Agreement or in the relevant provisions of this Protocol, the relevant regulations are invalidated in this respect from the date of entering into force of the arrangement with the Council of the European Communities.

## II. GOODS TRANSPORT

5. "Competent authorities", especially for the purposes of Articles 15 and 16 shall be

- a) In the Republic of Cyprus, the Minister of Communications and Works or any person authorised by him;
- b) In the Federal Republic of Germany, the Federal Minister of Transport or any authority appointed by that Minister.

### *In relation to Article 8*

6. No permit shall be required for

- a) Carriage of goods with motor-cycles or in passenger cars;
- b) Transport of corpses or the ashes of deceased persons;
- c) Carriage of damaged vehicles;
- d) Carriage of live animals, other than animals for slaughter;
- e) Carriage of equipment and accessories to or from theatrical, musical, film or sporting events, circuses, exhibitions or fairs, or to and from the making of radio or television broadcasts or films;
- f) Carriage of art-objects and works of art;
- g) Occasional carriage of objects or material exclusively for publicity or educational purposes, e.g. goods intended for fairs or exhibitions;
- h) Carriage of goods in motor vehicles, the maximum permissible weight of which, including the maximum weight of any trailers, does not exceed 6 tons, or the permissible payload of which, including any trailers, does not exceed 3.5 tons;
- i) Carriage of articles required for medical care in emergency relief (in particular in cases of natural disasters).

*In relation to Articles 9 and 10*

7. Any material or local restrictions on the use of permits shall be entered on the permits.

8. The permits shall be issued

- To carriers for vehicles registered in the Federal Republic of Germany by the Federal Minister of Transport or the authorities appointed by that Minister;
- To carriers for vehicles registered in the Republic of Cyprus by the Minister of Communications and Works or any person authorised by him.

9. Journey permits shall have a maximum period of validity not exceeding three months.

10. Models of the permits shall be agreed by the Joint Committee formed pursuant to Article 16.

11. Each consignment in goods transport by road for hire or reward shall be accompanied by an international consignment note (CMR).

DONE at Nicosia 6 March 1980, in duplicate, in the English and German languages, both texts being equally authentic.

For the Government  
of the Republic of Cyprus:  
[Signed— Signé]<sup>1</sup>

For the Government  
of the Federal Republic of Germany:  
[Signed— Signé]<sup>2</sup>

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<sup>1</sup> Signed by P. M. Kazamias—Signé par P. M. Kazamias.

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